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December 16, 2021

**DELIVERED VIA ECF AND EMAIL**

The Honorable Katherine Polk Failla  
Failla\_NYSDChambers@nysd.uscourts.gov

**MEMO ENDORSED**

**Case Title:** *Lixenberg v. NorthStar Source Group LLC, et al.; 1:21-cv-7834-KPF*  
**Re:** **Request for Leave to File First Amended Complaint and to Adjourn Initial Pretrial Conference**

Your Honor:

This office represents Plaintiff Dana Ruth Lixenberg ("Lixenberg") in this copyright infringement matter. We write to respectfully request leave to file a First Amended Complaint, which is attached hereto as **Exhibit 1**. The basis for this request is that defense counsel contacted our office and objected to the naming of the Defendant entities. Defense counsel represented to us that Source Digital, Inc., a New York corporation, should be named as a Defendant instead of Source Digital, Inc., a Pennsylvania corporation. It also appears that NorthStar Source Group LLC, a Delaware limited liability company, should be named instead of The NorthStar Group, Inc., an Illinois corporation. While the actual status of each Defendant is unclear, we respectfully seek leave to amend the complaint to streamline this matter and obviate the need to further address these issues.

In light of our request to file the First Amended Complaint, we also write to request an adjournment for the initial pretrial conference, which is currently scheduled for Tuesday, December 21<sup>st</sup> at 10:30 am. (Dkt. #8.) The requested extension will allow time for the proper defendants to be served. This is the first request for an extension in this matter.

We thank Your Honor for your time and consideration of this request.

Respectfully submitted,

By: /s/ Laura M. Zaharia  
Scott Alan Burroughs  
Laura M. Zaharia  
DONIGER / BURROUGHS  
For the Plaintiff

Application GRANTED. The Court hereby grants Plaintiff leave to file the First Amended Complaint. The Clerk of Court is directed to file the copy of the First Amended Complaint, located at docket entry 13-1, as the operative pleading in this matter.

The initial pretrial conference scheduled for December 21, 2021, is hereby adjourned to **January 25, 2022, at 11:00 a.m.** The conference will be held telephonically. At the scheduled time, the parties are to call (888) 363-4749 and enter the access code 5123533. Please note the conference line will not be available prior to 11:00 a.m.

The Clerk of Court is directed to terminate the pending motion at docket entry 13.

Date: December 17, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE